

SENATE BILL 739

By Yarbrow

AN ACT to amend Tennessee Code Annotated, Title 57,
Chapter 4, Part 1 and Title 57, Chapter 5, relative
to consumption on the premises.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(38), is amended by adding
the following as a new subdivision (N):

(N) "Urban park center" also means:

(i) A commercially operated facility having all of the following
characteristics:

(a) The facility is located on land that is between one and one-half
(1½) acres and that is adjacent to land owned by the electric power board
of a county with a metropolitan form of government;

(b) The facility has at least two (2) permanent structures
constructed before 1978 and at least twenty-five thousand square feet
(25,000 sq. ft.) of climate controlled space;

(c) The facility formerly housed a custom car design business that
had been serving the automotive community since 1968;

(d) The facility is located in a county with a metropolitan form of
government having a population of not less than six hundred thousand
(600,000) according to the 2010 federal census or any subsequent
federal census;

(e) The facility is approximately five thousand ninety feet (5,090')
to the northeast of a federal interstate highway;

(f) The facility is approximately five thousand nine hundred sixty feet (5,960') to the northwest of a navigable waterway; and

(g) The facility is approximately three hundred fifty feet (350') to the southwest from the main building of a high school that was originally constructed before 1933;

(ii) The premises of any facility described under this subdivision (38)(N) means any or all of the property that constitutes the facility, including all buildings and outdoor areas between and around those buildings. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises must be covered under one (1) license issued under this part and the licensee may contractually permit different businesses to provide food service on the premises and such businesses are authorized to sell beer and alcoholic beverages anywhere on the designated premises under the license. The commission may impose sanctions against an individual business for violations of this chapter as if the business is the licensee. There is a rebuttable presumption of liability for a specific business for any underage sale based on the specific type of glass or the brand on the cup provided to the minor. In the absence of a glass or cup identifying the business, the commission may determine which business to cite for an underage sale, or may cite the facility licensed under this part; and

(iii) Notwithstanding any provision of chapter 5 to the contrary, the premises of any facility described under this subdivision (38)(N) means, for the purpose of obtaining a beer permit, any or all of the property that constitutes the facility, including all buildings and outdoor areas between and around those buildings. The beer permittee must designate the premises to be licensed by the local beer board by filing a drawing of the premises, which may be amended by

the beer permittee filing a new drawing. The entire designated premises must be covered under one (1) beer permit issued under chapter 5 and the beer permittee may contractually permit different businesses to provide food service on the premises and such businesses are authorized to sell beer anywhere on the designated premises under the beer permit. The local beer board may impose sanctions against any individual business for violations of chapter 5 or local beer ordinances, or both, as if the business is the beer permittee. There is a rebuttable presumption of liability for a specific business for any underage sale based on the specific type of glass or the brand on the cup provided to the minor. In the absence of a glass or cup identifying the business, the local beer board may determine which individual business to cite for an underage sale, or may cite the facility permitted under chapter 5;

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.